



1Fu DAE
3696\$

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

ATTORNEY DOCKET NO. 049212-0103

Applicants: Bruce BENT et al.
Title: MONEY FUND BANKING SYSTEM WITH MULTIPLE
BANKS AND/OR RATES
Appl. No.: 09/677,535
Filing Date: 10/02/2000
Examiner: Daniel S. Felten
Art Unit: 3696
Confirmation 4334
Number:

PETITION TO WITHDRAW FROM ISSUE AFTER PAYMENT OF ISSUE FEE
UNDER 37 C.F.R. §1.313

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This is a Petition to Withdraw from issue the above-identified application after the issue fee has been paid.

The fee payment authorization under **37 C.F.R. 1.17(h)** is enclosed.

Applicants hereby petition to withdraw the above-identified application from issue under **37 C.F.R. 1.313(c)(2)**, in order to file a Request for Continued Examination in order to submit an Information Disclosure Statement and an amendment of the claims.

Applicants identify defects as follows:

a need to amend the claims to add performance of the
claimed method steps by one or more computers, in view of the

04/08/2009 DEHMANU1 00000151 09677535

01 FC:1464

130.00 0P

recent *In re Bilski* decision from the Federal Circuit Court of Appeals, issued after the payment of the issue fee, to conform the claims with claim amendments proposed at an interview with the examiner on February 5, 2009;

a need to remove any ambiguity that the FDIC-insured and interest-bearing deposit accounts are aggregated, to thereby conform the claims with claim amendments proposed at an interview with the examiner on February 5, 2009; and

to submit for consideration additional prior art identified by a third party in another co-pending application after the payment of the issue fee for the above-identified application, as well as to submit for consideration prior art identified by other examiners in co-pending applications of applicants, as well as to resubmit for consideration prior art filed in an IDS on September 3, 2008, in its entirety. This September 3, 2008 IDS was filed with a certification under **37 CFR 1.97 (e)(2)**, which was believed to be correct at the time of the filing. We believe that a certification that applicants were not aware of these specific documents continues to be correct. However, applicants informed us that some information in the specific documents was known to applicants more than 3 months before disclosure of those particular documents in the September 3, 2009 IDS, making the certification arguably incorrect. To the extent that any information about the subject matter in these documents was known to applicants, applicants would like to resubmit these documents in an IDS with the RCE filing.

Applicants request that this Petition be granted.

The Commissioner is hereby authorized to charge any deficiency or credit any over-payment to Deposit Account No. 19-0741. If any extensions of time are needed for timely acceptance of papers submitted herewith, applicants hereby petition for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 19-0741.

Respectfully submitted,

April 7, 2009


Date

FOLEY & LARDNER LLP

Customer Number: 22428

Telephone: (202) 672-5485

Facsimile: (202) 672-5399

A handwritten signature in dark ink, appearing to read 'W. T. Ellis', is written over a horizontal line.

William T. Ellis

Attorney for Applicants

Registration No. 26,874